IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 19792 of 2004

Between:

Shaik Khasim, S/o. Syda,
Venkatagiri P.S., Venkatagiri, Nellore District.

..... PETITIONER

AND

1 The Dy. Inspector General of Police, Guntur Range, Guntur.
2 The Superintendent of Police, Nellore, Nellore District.
3 V.Jaya Rao,S.I.of Police, Chittamur, Nellore District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue appropriate writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in transferring the petitioner from Venkatagiri to Chittamur Police Station is arbitrary unreasonable and accordingly set aside the impugned Radio Message in C.No.1224/A1/04, dt. 29.9.2004 including the orders dt. 08.10.2004 made in O.A.No.5656/2004 and consequently direct the respondents to continue the peittioner as Sub Inspector of Police, at Venkatagiri P.S., and to pass.

Counsel for the Petitioner:MR.G.TUHIN KUMAR

Counsel for the Respondent Nos. 1 & 2: GP FOR HOME

The Court made the following :

ORDER:(Per Sri Justice Goda Raghuram)

The petitioner is a Sub-Inspector of Police was transferred and posted to Venkatagiri Police Station on 19-11-2003. By order dated 29-9-2004 again transfers were effected and the petitioner was transferred from Venkatagiri Police Station to Chittamur Police Station. Assailing the order of transfer dated 29-9-2004, h e filed O.A.No. 5656 of 2004. By the order dated 8-10-2000 the O.A. was dismissed. The Tribunal observed that transfer is an incidence of service, thus no interference is called for, particularly since the petitioner is working in the Police Department and exigence of Service may require transfers frequently.

The counsel for the petitioner submits that the transfers is contrary to the administrative instructions which emphasize that frequent transfers should be avoided.

Administrative orders of transfers will not normally call for judicial interference. We find no error in the order of the Tribunal.

The Writ Petition is accordingly dismissed at the admission stage.

JC,J

GR,J

Stp

To:

1 The Dy. Inspector General of Police, Guntur Range, Guntur.
2 The Superintendent of Police, Nellore, Nellore District.
3 V.Jaya Rao,S.I.of Police, Chittamur, Nellore District

4. 2 CCs for G.P.for Home, A.P.High Court Buildings,(OUT)

5.2 CD copies

6.The Registrar, A.P.Administrative Tribunal ,Hyderabad.

Assistant Registrar

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and

THE HON'BLE MR JUSTICE GODA RAGHURAM

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WRIT PETITION NO : 19792 of 2004

16-11-2004